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8 Attorneys for the Plaintiff

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 OAKLAND BRANCH

12 UNITED STATES OF AMERICA,) No. CR-07-00409-SBA

13)

14 Plaintiff,)

15 v.)

16)

17 JOEL SANCHEZ, ALFREDO SANCHEZ,)

18 and HECTOR REYNOSO,)

19 Defendants.)

STIPULATION AND
ORDER TO CONTINUE STATUS
HEARING MAY 28, 2008 TO
JUNE 24, 2008

20 It is hereby stipulated, by and between the parties that the status hearing set for May 28,
21 2008 be vacated and that the matter be set for a status hearing on June 24, 2008 at 9:00 am.

22 It is also stipulated that the period from May 28, 2008 to June 24, 2008, shall be excluded
23 from the calculation of time in which the trial of the above captioned matter must commence
24 pursuant to the Speedy Trial Act, Title 18 U.S.C. Section 3161(c). The parties stipulate that the
25 time is excludable from the time limitations of the Speedy Trial Act because the
26 interests of justice served by granting a continuance.

Such continuance is required because a defendant was just added to the indictment and defense counsel needs an opportunity to review the discovery and determine if any motions should be filed. This continuance is allowed under Title 18, U.S.C. 3161(h)(7) and (8)(A)&(B)(iv) to allow a reasonable period of delay when a new defendant is joined for trial, and to allow for the reasonable time necessary for effective preparation of the case.

As such, the parties respectfully request that the status hearing set for May 28, 2008 be vacated and the matter be continued to June 24, 2008 at 9:00 a.m. for a status hearing.

Respectfully submitted,

DATED: May 28, 2008

DATED: May 28, 2008

/s/
EDWARD G. DUREE
Attorney for Joel Sanchez

DATED: May 28 2008

/s/
ROBERT L. FORKNER
Attorney for Alfredo Sanchez

DATED: May 28, 2008

/s/
IVAN MORSE
Attorney for Hector Reynoso

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that for adequate preparation of the case by all parties - specifically, to allow the government to supersede the indictment - pursuant to 18 U.S.C. Sections 3161(h)(8)(A) and (B)(iv) an exclusion of time is warranted under the Speedy Trial Act. Based on these findings,

1 IT IS HEREBY ORDERED THAT the status hearing currently scheduled for May 28,
2 2008 shall be vacated, and the matter shall be continued for a status hearing to June 24, 2008 at
3 9:00 a.m.

4 **IT IS SO ORDERED.**

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6 DATED: June 2, 2008
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Saundra B. Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge

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